

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:22-cv-61997-LEIBOWITZ/VALLE

GREAT AMERICAN INSURANCE CO.,

Plaintiff,

v.

ORACLE ELEVATOR HOLDCO, INC.,

Defendant.

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ORACLE ELEVATOR HOLDCO, INC.,

Cross-Plaintiff,

v.

EVEREST NATIONAL INSURANCE CO.,

Cross-Defendant.


_____ /

ORDER

THIS CAUSE is before the Court upon the motion by Cross-Defendant, Everest National Insurance Company (“Everest”), for a case management conference [ECF No. 260] (the “Motion”), filed on July 22, 2025. In the Motion, Everest seeks a conference with the Court to address the effect of the settlement of the excess coverage claim reached between Plaintiff Great American Insurance Company (“Great American”) and Defendant Oracle Elevator Holdco, Inc. (“Oracle”) on the upcoming “bad faith” claims trial scheduled to begin on December 1, 2025. [*Id.* at 5]. Everest contends that a conference with the Court is needed to discuss (1) whether Great American’s pleading against Everest needs to be amended; and (2) the extent of Great American’s role in the bad faith trial against Everest, specifically to include Oracle’s introduction of evidence of the settlement, including amounts paid and to be paid. [*Id.* at 5–8]. Great American opposes the request. [ECF No. 262].

Upon due consideration, and particularly in light of the Court's busy calendar and the pretrial conference scheduled in this case for November 25, 2025, the Court finds a conference is not necessary. Nor would a conference resolve Everest's issues as they are not before the Court by proper motion. If it chooses, Everest can move to exclude certain evidence, and Everest can make argument by motion as to why Great American's operative pleading is now defective. Until then, a conference is not required. Accordingly, and upon due consideration, it is hereby **ORDERED AND ADJUDGED** that the Motion [ECF No. 260] is **DENIED**.

DONE AND ORDERED in the Southern District of Florida on July 29, 2025.


DAVID S. LEIBOWITZ
UNITED STATES DISTRICT JUDGE

cc: counsel of record